

REMARKS

Pending Claims

Claims 1 - 25 are pending in this application. Independent claims 1 and 6 have been amended to more clearly define and describe the invention. Claims 1 - 17 have been further amended to better conform them to US patent practice. Claims 18 - 25 are new. No new matter is added by way of any of these amendments.

Reconsideration is respectfully requested in view of the amendments and the remarks herein.

Claim Rejections

The Office Action has rejected claims 1 - 3 and 6 - 11 under 35 U.S.C. § 102(b) as being anticipated by *Goodwin* (U.S. Patent No. 5,641,141), and has rejected claims 4 - 5 and 12 - 17 under 35 U.S.C. § 103(a) as obvious over *Goodwin* in view of *Inoue et al.* (U.S. Patent No. 5,667,963).

These rejections are respectfully traversed.

With respect to claim 1 (as amended), as now presented, an enclosure for the circuitry of a base station of a cellular telephone system is specified. This circuitry receives signals from and supplies signals to an antenna of the telephone system. In accordance with the claim, the enclosure includes further circuitry for controlling an item of street furniture, and part of the circuitry of the base station is common to part of the further circuitry (that is, it is common to part of the further circuitry for controlling the item of street furniture).

Independent claim 6, as now amended, is directed to an item of street furniture which additionally incorporates or carries an antenna for the base station of a cellular telephone system. This item of street furniture is specified as being in combination with an enclosure which is specified in generally (though not identically) the same terms as in claim 1.

Thus, in each of the two independent claims under discussion (claims 1 and 6), there is a requirement for an enclosure which contains the circuitry of the base station of a cellular telephone system, this enclosure also including circuitry for an item of street furniture and, additionally, part of the circuitry of the base station is common with part of the circuitry for the item of street furniture.

Goodwin discloses a light pole on which is mounted an antenna assembly for a cellular telephone system. *Goodwin* also mentions the possibility that the pole, instead of being for a light, could be for a traffic light or for power supplies.

Goodwin also refers to a base station which is located nearby the antenna assembly (see Column 8, line 65). However, there is absolutely no suggestion in *Goodwin* that there is a common enclosure which is for containing circuitry of the base station and circuitry for the item of street furniture. More significantly, there is no suggestion that part of the circuitry of the base station is common to part of the circuitry for the item of street furniture. Figure 4 of *Goodwin* merely shows the connection (via cables 136 and 134) between the antenna and the base station; there is no reference to an "enclosure."

In view of the foregoing remarks, it is therefore respectfully submitted that claims 1 and 6 are not anticipated by *Goodwin*. In view of the foregoing remarks, it also follows that claims 2, 3 and 5 - 11 are necessarily not anticipated by *Goodwin*, these claims being dependent, directly or indirectly, on claim 1 or on claim 6. For completeness, though, applicants nevertheless respond to the Examiner's comments relating to these claims.

In relation to claims 2 and 7, the Examiner asserts that *Goodwin* discloses power supply circuitry, and refers to Column 9, lines 2 - 5. This part of the specification, however, merely relates to the provision of power and control wiring 149 for a traffic light, which can be pulled from underground conduit into the interior of the pole. Assuming that there is also a power supply for the base station, there is nonetheless no disclosure or teaching in *Goodwin* of an enclosure which is common to the circuitry of the base station and to circuitry for controlling the item of street furniture. Moreover, there is no disclosure or teaching of the feature that part of the

circuitry of the base station is common to part of the further circuitry. *Goodwin* is completely silent in this regard.

In relation to claims 3 and 8, the Examiner asserts that *Goodwin* discloses signaling circuitry for the base station and for the light pole and refers to Figures 1 and 4 and Column 5, lines 25 - 31. However, Applicants are unable to find any reference here to signaling circuitry, which is common to part of the circuitry of the base station and circuitry for the item of street furniture.

In relation to claim 9, the Examiner asserts that *Goodwin* discloses street furniture associated with but physically separated from the enclosure. However, no reference is found in *Goodwin* to any such enclosure. In relation to claim 10, the Examiner asserts that *Goodwin* discloses that the street furniture is physically combined with the enclosure. Again, Applicants can find no reference to any such enclosure.

In relation to the rejection of claims 4 - 5 and 17 under 35 U.S.C. § 103(a) as obvious over *Goodwin* in view of *Inoue et al*, the Examiner says that cooling or ventilating means are well known in the art as taught by *Inoue et al*. However, this is respectfully, but emphatically, contested. *Inoue et al* relates to a high intensity discharge lamp. The Examiner refers to Column 5, lines 4 - 10. This passage of *Inoue et al* refers to air ducts and a fan for cooling the arc tube of the lamp. However, Applicants submit that this has no relevance whatsoever to the feature of cooling, controlling the temperature of, or ventilating the interior of an enclosure - that is, an enclosure for the circuitry of a base station of a cellular telephone system. Suggestions in *Inoue et al* for cooling an arc tube in a street light clearly cannot disclose or teach the feature of cooling or ventilating, or controlling the ambient temperature of, an enclosure for a base station circuitry and further circuitry for controlling the street light.

It is also emphasized, though, that, for the reasons discussed above, there are fundamental differences between what is claimed in claims 1 and 6 on the one hand and what is disclosed or taught in *Goodwin* on the other hand. Claims 4 - 5 and 17 are clearly patentably distinguished over *Goodwin*. Therefore, even if *Inoue et al* discloses cooling or ventilating means, nothing disclosed or taught by *Inoue et al*

adversely affects the features which patentably distinguish those claims over Goodwin. In fact, as earlier stated, the cooling and ventilating means in *Inoue et al* are in any case not relevant to the cooling or ventilation of an enclosure for a base station circuitry and further circuitry for the street light. Therefore, for these reasons, claims 4, 5 and 17 are patentably distinguished over *Goodwin* in view of *Inoue et al*.

Concerning claims 12 - 16, the Examiner says that items of street furniture in the form of a closed circuit television camera, a shop sign, an advertising sign or a traffic sign are notoriously well known in the art. This cannot, however, alter the basic position that claim 6 is patentably distinguished over the cited prior art, and that it therefore follows that claims 12 - 16, being dependent on claim 6 must be similarly distinguished.

In view of the foregoing remarks, it is respectfully submitted that claims 1 - 17 are patentably distinguished over the cited prior art.

The prior art made of record and not relied upon has been considered but is not believed to require specific discussion. None of this prior art is believed to show the features discussed above which patentably distinguish claims 1 and 6 from *Goodwin*. In addition, some of this cited prior art (in particular, *Altschul* and *Hohnstein et al*) is not believed to be dated sufficiently early to be citable against the present application.

Claims 18 - 25 are new and are directed to a specific application of the invention - to a mast carrying a closed circuit television camera, the mast additionally incorporating or carrying an antenna for a base station of a cellular telephone system, the mast being combined with an enclosure for the circuitry of the base station, the enclosure also including circuitry for use with the close circuit television camera.

It is believed that none of the cited prior art discloses or teaches this particular combination of integers.

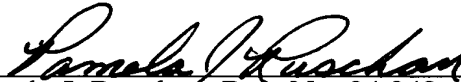
Conclusion

In view of the foregoing remarks, the application is considered to be in good and proper form for allowance, and the Examiner is respectfully requested to pass the application to issue. If, in the opinion of the Examiner, a telephone conference would

In re Appln. of O'Neill et al.
Application No. 09/623,303

expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,



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Date: December 16, 2003

Amendment or ROA - Regular (Revised 7/29/03)